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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------------------|------------------|
| 09/768,178 | 01/24/2001 | Toshihiro Shoji | 010055 | 9209 |
| 23850 | 7590 | 06/23/2004 | | |
| ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006 | | | | |
| | | | EXAMINER FERGUSON, LAWRENCE D | |
| | | | ART UNIT 1774 | PAPER NUMBER |

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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09/768178

| EXAMINER |
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L. Ferguson

| ART UNIT | PAPER |
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Commissioner for Patents

The response to the Office Action mailed on March 24, 2004 is non-responsive.

Non-Responsive

1. The timely submission under 37 CFR 1.129(a) filed on March 26, 2004 is not fully responsive to the prior Office action because Applicant indicates claims 5 and 9 are cancelled; however, claims 5 and 9 remain in the listing of claims as previously presented. Additionally, new claims 10-29 are listed as previously presented. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this letter, whichever is longer, to submit a complete reply in compliance with 37 CFR 1.121 in order to avoid abandonment. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Conclusion


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Ferguson whose telephone number is 571-

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272-1522. The examiner can normally be reached on Monday through Friday 9:00 AM – 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lawrence Ferguson
Patent Examiner
Art Unit 1774

CYNTHIA H. KELLY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

